

BOARD OF SOCIAL WORK

MINUTES OF MEETING

April 24, 2014

DRAFT

Open Session

The Open Session of the Board of Social Work was called to order on the above date in Room 104, Cannon Building, Rhode Island Department of Health, Three Capitol Hill, Providence, Rhode Island, pursuant to the applicable provisions of the Open Meeting Law, so called, and other applicable provisions of the General Laws of the State of Rhode Island, as amended.

Board members in attendance: Board members not in attendance:

Daniel Wheelan Mary Ann Shallcross Smith

Mary Montminy-Danna Vacancy – 1 Licensed LCSW

Sandra Munroe Wunschel

Lynn Finocchiaro Staff members in attendance

Connie Gallo J. Michel Martineau, Administrator

Steve Morris, Esq.

A quorum was established at 9:00 AM and the meeting was started.

Introductions are made around the table for the benefit of our two new board members Lynn Finocchiaro and Connie Gallo.

Members state the lack of convenient parking is a problem and at least one member indicates it may cause them to write a letter of resignation. The administrator concurs it is a problem and states the recent practice of locking the parking lots is likely related to construction being done on the underground parking garage. Members restate it is an issue and state it is not courteous to treat volunteer professional board members in this fashion.

Sandra Munroe Wunschel asks if new board members have availed themselves of ASWB training for new board members, she states there is no charge as costs are covered by ASWB. The administrator indicates if any fees must be paid by the state that would be a problem and not likely approved, he advises new board members that training is not mandatory for RI board members. Sandra Munroe Wunschel and Daniel Wheelan describe the 2 to 3 day training as both useful and interesting. Both new board members express interest in considering their participation. Sandra Munroe Wunschel states it will be useful for new board members to receive communications from ASWB, the administrator indicates he will notify ASWB and ask that they please add them to our profile and include them on all communications.

The Open Minutes of the meeting of January 23, 2014 were presented and reviewed. Sandra Munroe Wunschel made a motion to accept the

Minutes, seconded by Mary Montminy-Danna, it passed unanimously.

Members review and discuss the inquiry from Judi Tassel. The administrator suggests this may pertain to RIGL (Section 5-39.1-3 c), a board member notes the dates and states Ms. Tassel does not qualify for this option. Members note she is not exempt from qualifying for a RI LCSW license; Ms. Tassel must complete the application and sit for the national exam. Additionally, if at a later date Ms. Tassel applies for a LICSW license, Daniel Wheelan states she would need to document any clinical experience she earned as a Certified Social Worker.

Members review and discuss the inquiry from Erika Sgambato. The administrator indicates he had communications with Ms. Sgambato then noticed she had provided additional information he had not originally recognized. Members indicate that per the Regulations (Section 3.1.2 (2)) Ms. Sgambato cannot count supervised practice hours from the date of graduation, but the start date is the first date the applicant receives supervision and holds the LCSW license.

The administrator states the Department sent a thank you letter to Ms. Maureen Egan in a timely manner, he distributes copies.

Sandra Munroe Wunschel states the Secretary of State (SOS) website pages for the Board of Social Work Examiners continues to display Charles Alexandre as the contact, she also notes not all Members

have the appropriate credential(s) indicated after their name. The board administrator indicates he will work to address this and notes it will not be easy as his past experience has shown.

Members state that some of them are serving on expired terms and ask if that is legally acceptable. The administrator states members serve their term and may continue to serve until they are replaced. Board counsel Steve Morris concurs then asks if anyone has served beyond nine (9) years, two members indicate yes. Atty. Morris indicates that is a problem (per RIGL Section 5-39.1-6 c). Daniel Wheelan indicates he was appointed when the board was created, the administrator suggests his appointment was made in 1997, Mr. Wheelan states he was appointed in 1994 (this administrator subsequently locates notes indicating Mr. Wheelan has served continuously since November 1994).

Atty. Morris states he will provide a brief overview of board member duties. Atty. Morris indicates this board has language indicating they are responsible to make recommendations to the director as it pertains to proposed changes to the regulations and on disciplinary matters. When the board is determining unprofessional conduct (UPC), the legal process comes into action. Atty. Morris states this board may hear complaints, they may in effect serve as a jury to hear and decide the facts, Catherine Warren would be present as a Hearing Officer to make notes. Atty. Morris indicates it is important to have a 1 or 2 member Investigation Committee to allow a quorum of the

Members to remain unpolluted by the facts of the case, this practice allows the quorum who did not comprise the Investigation committee to sit in judgment at a Hearing rather than Catherine Warren who is not a social worker.

Member Lynn Finocchiaro asks for an example. Atty. Morris states what if a social worker called you and said a social worker made a negative comment about a client, you should say please do not discuss it with me but please call the Dept. of Health to consider filing a complaint. The administrator notes the Complaint telephone number is 222-5200.

The administrator relates a telephone inquiry he received. The individual states she is a RI licensed LICSW and asks if it is permitted to provide services via Skype, she indicates an insurance company has presented her with an opportunity to make money via this practice. The administrator indicates he has this preliminary information and he has asked staff to return her call and ask certain questions and ask that she please put her inquiry in writing as this will allow a review of the specific issue being described. If this administrator needs to seek legal and board input, it is always useful to have the inquiry written by the individual requesting a response. Members indicate the best practice would include guaranteed privacy

between the two individuals and assurance that electronic communications are secure.

Mary Montminy-Danna poses a question, she asks if Skype is an acceptable way to practice? Board counsel Steve Morris states there are scenarios where the clinician may meet the client outside of the office, he then states that clinicians currently have telephone communication with a client, and that is TeleHealth. The administrator states he understands some Members are stating the best practice would include assurances of proof of both privacy and secure electronic communications, but if someone were to file a complaint against a social worker alleging they utilized electronic communication (including TeleHealth), he is not certain he would have enough to open a complaint, board counsel states that may be the case. Board members state they will continue to review TeleHealth. The board administrator will place this item on the agenda for the next meeting.

Members review the Regulations (Section 1.11) and indicate face-to-face supervision may be conducted via video conferencing.

Adjournment to Executive Session

Daniel Wheelan makes a motion to adjourn to Executive Session pursuant to sections 42-46-4 and 42-46-5(1) of the Rhode Island General Laws, as Amended, in that confidential issues of fitness for licensure and investigative cases will be discussed, seconded by Mary Montminy-Danna, it was unanimously passed. The Open

Session adjourned at 10:20 AM.

Return to Open Session

The Open Session was called back to order at 10:25 AM. On motion of Sandra Munroe Wunschel, seconded by Daniel Wheelan, it was unanimously voted to keep confidential all matters discussed in Executive Session and to seal those minutes inasmuch as fitness for licensure and ongoing disciplinary matters were addressed. Items reported from Executive Session include:

The Minutes of the Executive Session held on January 23, 2014 were passed unanimously.

As it pertains to sitting for the national exam, a request for English as a Second Language Special Arrangements Request from Orianne Rodrigues was approved.

Adjournment

On motion of Sandra Munroe Wunschel, seconded by Daniel Wheelan, it was unanimously voted to adjourn. The Open Session of the meeting was adjourned at 10:30 am.

Respectfully submitted,

J. Michel Martineau

Health Policy Analyst